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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/048,124	10/21/2001	Ruben Gonzalez	4383P	2728

7590 10/28/2003

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EXAMINER

SENI, BEHROOZ M

ART UNIT PAPER NUMBER

2613

DATE MAILED: 10/28/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/048,124

Applicant(s)

GONZALEZ, RUBEN

Examiner

Behrooz Senfi

Art Unit

2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 26-33 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Based on a phone conversation with applicant attorney "Mr. Sadler, Lloyd on 08 October 2003", claims 1 – 25 will selected for prosecution if a follow-up phone call has not been made, as stated in enclosed interview summary.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1– 16 and 26, are rejected under 35 U.S.C. 103(a) as being unpatentable over Thro et al. (US 6,037,991) in view of Robb et al. (WO 97/26744).

Regarding claims 1 and 26, Thro '991 discloses a "wireless video surveillance system" (i.e. fig. 1), with "one or more video recording means for recording video images" (i.e. fig. 1, cameras 116 – 119), and "at least one interface module for converting the video images to transmittable data" (i.e. fig. 1, interface 101, 112), and "first wireless communication for receiving the transmittable data and second wireless communication for transmission of the transmittable data" (i.e. fig. 7).

Although, Thro '991 teaches hand held portable video cameras (116 – 119), but fails to explicitly teach display incorporated with the cameras or portable monitor device comprising display means. However, such features are well known and used as evidenced by Robb '744 (i.e. fig. 1a, page 24, lines 1 – 4). Therefore, taking the combined teaching of Thro '991 and Robb '744 as a whole, it would have been obvious

Art Unit: 2613

to replace the camera system of Thro '991 with the digital camera of Robb '744, which could serve as a hand held portable monitor, capable of receiving and transmitting data and displaying the video images (i.e. fig. 1a, digital camera 2, display 4, page 1, lines 16 – 24).

Regarding claim 2, combination of Thro '991 and Robb '744 teaches the claimed limitation "portable monitor device is a personal digital assistant or similar hand held processing unit incorporating processor means, memory means and display means" (i.e. fig. 9, abstract of Robb).

Regarding claims 3 and 15, combination of Thro '991 and Robb '744 teaches the claimed limitation "wherein the interface module includes input means for receiving video signals from the video recording means" (i.e. fig. 1, interface 112 – 114 of Thro).

Regarding claims 4 - 5, combination of Thro '991 and Robb '744 teaches the claimed limitation "wherein the video recording means is a digital camera" (i.e. figs. 3 and 4, unit 78 and camera 2 is a digital camera, page 12, lines 3 – 5, from bottom of the page of Robb), and the claimed "the video recording means is an analog video camera" (i.e. fig. 1, camera 116 – 119 of Thro).

Regarding claim 6, combination of Thro '991 and Robb '744 teaches the claimed limitation "interface module includes a video input means and analog to digital conversion means" (i.e. fig. 4, 76 of Robb).

Regarding claim 7, combination of Thro '991 and Robb '744 teaches a wireless communication interface for receiving and transmitting video/audio, therefore the

Art Unit: 2613

“buffering” as claimed would have been obvious over the combined teaching of Thro and Robb for proper data transmission.

Regarding claims 8 - 9, combination of Thro '991 and Robb '744 teaches the claimed limitation “video and audio compression algorithms and decompression algorithm” (i.e. figs.3 and 4, decoder 77, abstract of Robb).

Regarding claims 10 - 13, combination of Thro '991 and Robb '744 teaches the claimed limitation “the first wireless transmission means is a signal receiving means” and “the first wireless transmission means is a signal receiving and transmitting means” (i.e. fig. 7, 703 – 707 of Thro).

Regarding claim 14, combination of Thro '991 and Robb '744 teaches the claimed limitation “second wireless communication means is integral with the interface module” (i.e. fig. 1, 101 and 112 of Thro).

Regarding claim 16, combination of Thro '991 and Robb '744 teaches the claimed limitation “first wireless communication means includes means for transmitting the signals and second wireless communication means includes means for receiving signals” (i.e. fig. 1, of Thro).

4. Claims 17 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thro et al. (US 6,037,991) in view of Robb et al. (WO 97/26744) further in view of Hansen et al. (US 6,628,805).

Regarding claim 17, combination of Thro '991 and Robb '744 teaches “wireless Video surveillance system” (i.e. fig. 1 of Thro) and portable monitor device comprising display means (i.e. fig. 1a, page 24, lines 1 – 4 of Robb).

Art Unit: 2613

Combination of Thro '991 and Robb '744 fails to teach as claimed, "motion detection means". However, such features are well known and used as evidenced by Hansen '805 (i.e. fig. 3, 100) for accurately detecting motion for security applications. Therefore, taking the combined teaching of Thro and Robb and Hansen as a whole, it would have been obvious to have a motion detector for detecting the motion occurring within the scene for security purpose (i.e. col. 2, lines 5 – 10 of Hansen).

Regarding claims 18 - 25, combination of Thro '991 and Robb '744 and Hansen '805, teaches, "activating a warning signal" (i.e. fig. 3, alarm signal) and "portable monitor" (i.e. fig. 4, 406) and "selection means" (i.e. fig. 2, selector control 228 of Hansen and col. 3, lines 49 – 52 of Thro) and "video storage means" (i.e. buffer/memory of Hansen).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(703)305-0132**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chris Kelley** can be reached on **(703)305-4856**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

Art Unit: 2613

(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. S. B. S.

10/15/2003


VU LE
PRIMARY EXAMINER